

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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Destiny Hoag,

Plaintiff,

V.

City of Henderson; Michelle Leavitt; Jeremy Cooley; Henderson Police Department; and Officer P. Duffy, et al.,

Defendants.

Case No. 2:23-cv-00681-JAD-DJA

Order

This matter is before the Court on the Court's review of the docket. Plaintiff filed certificates of service purporting to have served Defendants the City of Henderson, Jeremy Cooley, Michelle Leavitt, the Henderson Police Department, Officer P. Duffy, and the Attorney General via certified mail. (ECF Nos. 4 and 5). The Court then entered an order explaining that neither the Federal Rules of Civil Procedure nor the Nevada Rules of Civil Procedure provide for service by mail, the deadline for service passed, and that Plaintiff had not provided any summonses to the clerk for signature and seal. (ECF No. 8). In that order, the Court gave Plaintiff until November 20, 2023 to serve Defendants. (*Id.* at 2). The Court added that “[f]ailure to comply with this order may result in the undersigned magistrate judge issuing a recommendation of dismissal to the assigned district judge.” (*Id.*). To date, Plaintiff has not filed anything further in this case. The Court will thus order Plaintiff to show cause why the Court should not recommend dismissal of this action for Plaintiff’s failure to prosecute this action or comply with the Court’s order under Federal Rule of Civil Procedure 41(b) and Local Rule IA 11-8(e).

27 **IT IS THEREFORE ORDERED** that Plaintiff must file a response to this order
28 explaining why the Court should not recommend dismissal of this action. Plaintiff must file this

1 response on or before February 23, 2024. **Failure to comply with this order may result in the
2 undersigned magistrate judge issuing a recommendation of dismissal to the assigned district
3 judge.**

4 **IT IS FURTHER ORDERED** that the Clerk of Court is kindly directed to mail a copy of
5 this order to Plaintiff.

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DATED: January 24, 2024

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DANIEL J. ALBREGTS
UNITED STATES MAGISTRATE JUDGE